



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

HC

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/753,310	12/29/2000	Benjamin N. Eldridge	P34D1-US	8359

7590 12/03/2002

Michael Messinger
Sterne, Kessler, et al
1100 New York Ave. NW
Ste. 600
Washington, DC 20005

EXAMINER

ARBES, CARL J

ART UNIT	PAPER NUMBER
3729	

DATE MAILED: 12/03/2002

TD

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/753,310	ELDRIDGE ET AL. <i>CM</i>
Examiner	Art Unit	
	C. J. Arbes	3729

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 13 November 2002.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 42,43 and 48-50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) 42 and 43 is/are allowed.
- 6) Claim(s) 48-50 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ . | 6) <input type="checkbox"/> Other: _____ . |

Art Unit: 3729

In view of locating more material prior art the following non-final Office Action is provided. Inasmuch as Applicants' Reply under 37 CFR 1.111 is not pertinent to the hereinbelow given Office Action, filed on or about 13 November 2002, no comments are provided.

Claims 48-50 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In the preamble of Claim 48, line 2, Applicants recite "to a microelectronic component..." whereas in the body of the Claim (Cf lines 23 and 25) Applicants recite "electronic component". The Claim is held to vague and indefinite and moreover fails to particularly point out and distinctly claim the invention. What do Applicants intend with this language?

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 48-50, as understood, are further rejected under 35 U.S.C. 103(a) as being unpatentable over Trenary..

Trenary teaches a probe card for IC chip. The probe card provides an interconnection between pads on an IC chip and resilient leads on a PCB or electronic component to test chip operability. Each of a plurality of resilient leads or contact elements has a base end, at contact end and a central body connecting to base end to the contact end. The

Art Unit: 3729

contact elements are mounted to the PCB. Each of the contact elements extend above the surface of the PCB. It would have been obvious to one of ordinary skill in the art at the time of the invention to mount the plurality of contact elements to a terminals on an electronic component, if fact the PCB is not construed to be an electronic component. As applied to claims 49 and 50 it is held to be mere design choice to have the electronic component be a space transformer of a probe card assembly or a semiconductor device since Applicants have not solved and specific problem nor list any particular purpose for using said space transformer or said semiconductor device.

Claims 42 and 43 are held to be allowable.

This Office Action is **non-Final**.

Any inquiry concerning this communication should be directed to C. J. Arbes at telephone number (703)308-1857.

CJA
CARL J. ARBES
PRIMARY EXAMINER